

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 10-3529(DSD/SRN)

Dealer Services Corporation,
a Delaware corporation,

Plaintiff,

v.

ORDER

Autogardens LLC, a Minnesota
corporation,

Defendant.

This matter came before the court for hearing on August 20, 2010, upon the motion for a preliminary injunction by plaintiff Dealer Services Corporation ("DSC") against defendant Autogardens LLC ("Autogardens"). DSC appeared through counsel; Autogardens did not appear. Based on a review of the file, record and proceedings herein, the court finds that DSC failed to demonstrate irreparable harm under Dataphase Sys., Inc. v. C L Sys., Inc., 640 F.2d 109, 114 (8th Cir. 1981) (en banc). Accordingly, consistent with the court's oral order, **IT IS HEREBY ORDERED** that the motion [Doc. No. 2] is denied.

Dated: August 23, 2010

s/David S. Doty
David S. Doty, Judge
United States District Court